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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIA MUNOZ,

Defendant.

CASE NO. 1:20-CR-00123-DAD-BAM

STIPULATION TO CONTINUE STATUS
CONFERENCE AND EXCLUDE TIME UNDER
SPEEDY TRIAL ACT; FINDINGS AND ORDER

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 24, 2022.
2. By this stipulation, the parties now move to continue the status conference until October 26, 2022, and to exclude time between August 24, 2022, and October 26, 2022, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendants desire additional time to meet with their out-of-custody clients, to review discovery, pursue investigation, and discuss possible resolution with the

1 government. The parties believe that they should be in a position to move forward in this case
2 before October 26, 2022.

3 c) Counsel for defendants believe that failure to grant the above-requested
4 continuance would deny them the reasonable time necessary for effective preparation, taking into
5 account the exercise of due diligence.

6 d) The government does not object to the continuance.

7 e) At this time, the parties intend for this to be the last continuance in this case.

8 f) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of August 24, 2022 to October 26,
13 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis
15 of the Court's finding that the ends of justice served by taking such action outweigh the best
16 interest of the public and the defendant in a speedy trial and because, once filed, the court will
17 need time to consider the proposed plea agreement.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

22
23
24 Dated: August 17, 2022

PHILLIP A. TALBERT
United States Attorney

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26 /s/ ALEXANDRE DEMPSEY
ALEXANDRE DEMPSEY
27 Assistant United States Attorney
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1 Dated: August 17, 2022

/s/ CARRIE McCREARY

CARRIE McCREARY

Counsel for Defendant

MARIA MUNOZ

3 **ORDER**

4 IT IS SO ORDERED that the status conference is continued from August 24, 2022, to **October**
5 **26, 2022, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.** Time is excluded pursuant to
6 18 U.S.C. § 3161(h)(7)(A), B(iv). Counsel are directed to meet and confer and select a mutually convenient
7 date for trial to be discussed at the next hearing date. Alternatively, the parties may stipulate to the trial
8 date, with an appropriate exclusion of time.
9

10 IT IS SO ORDERED.

11 Dated: August 17, 2022

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE